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UNUM LIFE INSURANCE COMPANY  
OF AMERICA, UNUMPROVIDENT CORPORATION,  
and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

THERESA MONSEUR KELLY,  
  
Plaintiff,  
  
vs.

UNUM LIFE INSURANCE COMPANY  
OF AMERICA, UNUMPROVIDENT,  
CORPORATION, MDL INFORMATION  
SYSTEMS, INC., and MDL DENTAL, LTD,  
STD, LIFE, AD&D PLAN,  
  
Defendants.

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Case No. C 05-02915-CW

**STIPULATION AS TO SUBSTITUTION  
OF PLAN NAME; ORDER THEREON**

**STIPULATION**

The parties, through their counsel of record, stipulate that the pleadings, including the complaint and answer, should be amended to substitute the proper plan as "MDL Health Plan" in place of "MDL Dental, LTD, STD, LIFE, AD&D Plan" as a defendant in this action.

Dated: October 2, 2006

BRANHAM & DAY, P.C.

By /s/ John D. Wood

John D. Wood (Admitted Pro Hac Vice)

Attorneys for Plaintiff

THERESA MONSEUR KELLY

Dated: October 2, 2006

EMISON, HULLVERSON, BONAGOFISKY

By /s/ Theo J. Emison

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Attorneys for Plaintiff

THERESA MONSEUR KELLY

Dated: October 2, 2006

KELLY, HERLIHY & KLEIN, LLP

By /s/ Sean P. Nalty

Sean P. Nalty

Attorneys for Defendants

UNUM LIFE INSURANCE COMPANY OF  
AMERICA, UNUM PROVIDENT CORPORATION,  
and MDL DENTAL, LTD, STD, LIFE, AD&D  
PLAN

**ORDER**

The Court accepts the stipulation of the parties. It is therefore ORDERED that the pleadings, including the complaint and answer, are amended to substitute "MDL Health Plan" in place of "MDL Dental, LTD, STD, LIFE, AD&D Plan" as a defendant in this action.

IT IS SO ORDERED.

10/3/06



CLAUDIA WILKEN, JUDGE OF THE  
UNITED STATES DISTRICT COURT